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Counsel for *Amicus Curiae* Backcountry
Hunters & Anglers

UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING

IRON BAR HOLDINGS, LLC, a North
Carolina limited liability company registered
to do business in Wyoming,

Plaintiff,

v.

BRADLY H. CAPE, an individual,
ZACHARY M. SMITH, an individual,
PHILLIP G. YEOMANS, an individual, and
JOHN W. SLOWENSKY, an individual,

Defendants.

Case No. 22-CV-00067-SW

**[PROPOSED] DECLARATION OF ERIC B. HANSON IN SUPPORT OF BRIEF OF
AMICUS CURIAE BACKCOUNTRY HUNTERS & ANGLERS**

I, Eric B. Hanson, hereby declare as follows:

1. I am an attorney at Keker, Van Nest & Peters LLP, counsel for *Amicus Curiae* Backcountry Hunters & Anglers (“BHA”) in the above-captioned matter. I have personal knowledge of the facts contained herein, and if called as a witness, I could and would testify competently thereto.

2. Attached as Exhibit 1 is a true and correct copy of “The Corner-Locked Report” by OnX Maps, available at <https://www.onxmaps.com/onx-access-initiatives/corner-crossing-report>, last accessed October 28, 2022.

3. Attached as Exhibit 2 is a true and correct copy of a listing for the Laramie Plains Ranch from the website LandWatch.com, available at <https://www.landwatch.com/albany-county-wyoming-farms-and-ranches-for-sale/pid/414833854>, last accessed October 20, 2022.

4. Attached as Exhibit 3 is a true and correct copy of a listing for the Kite Ranch from the website LandWatch.com, available at <https://www.landwatch.com/albany-county-wyoming-farms-and-ranches-for-sale/pid/410167037>, last accessed October 27, 2022.

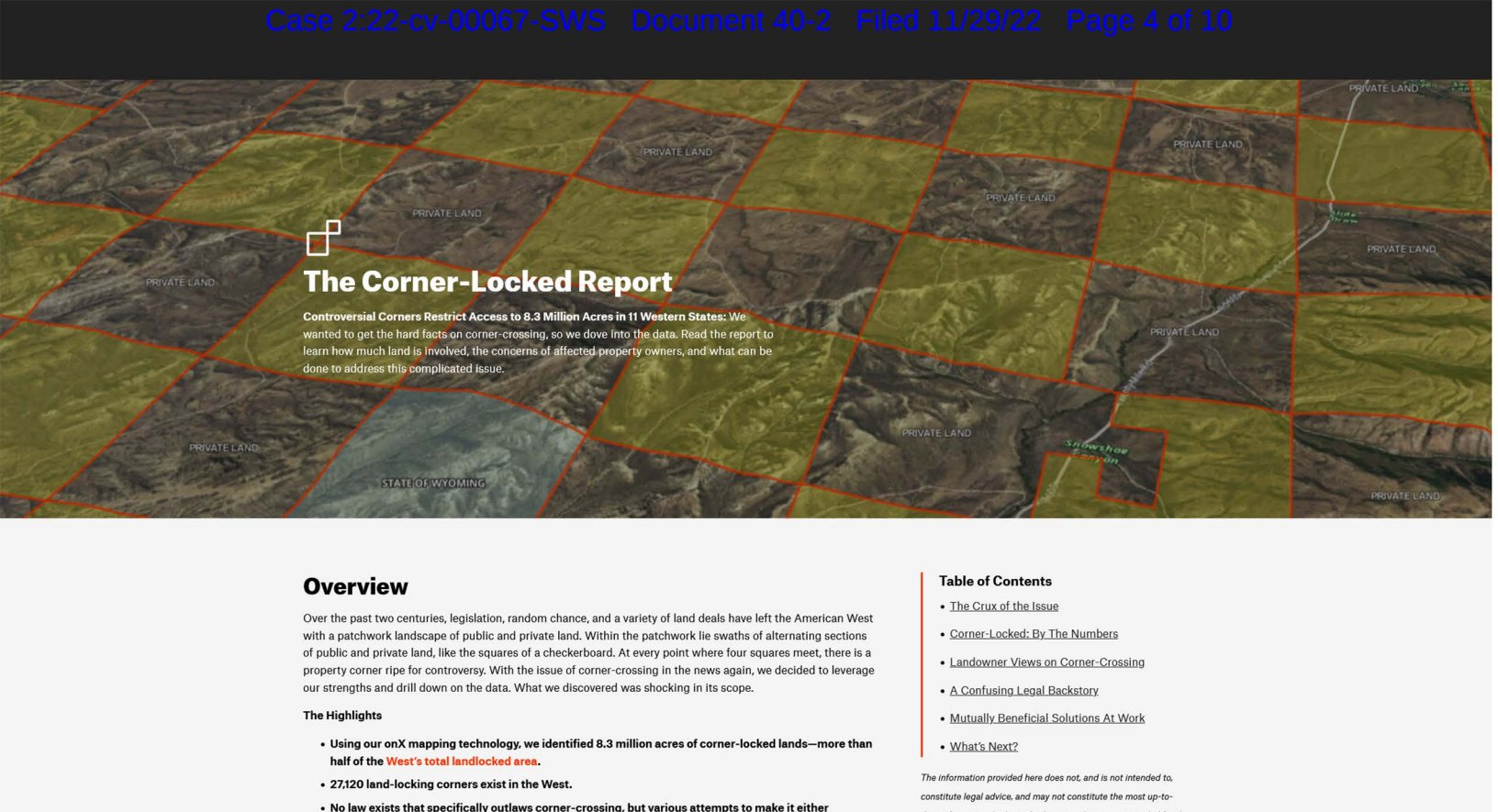
5. Attached as Exhibit 4 is a true and correct copy of a listing for the Lost In Time Cedar Breaks Ranch from the website LandWatch.com, available at <https://www.landwatch.com/wibaux-county-montana-farms-and-ranches-for-sale/pid/414569840>, last accessed October 28, 2022.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on November 29, 2022 at Los Angeles, California.

/s/ Eric B. Hanson

Eric B. Hanson

EXHIBIT 1



The Corner-Locked Report

Continuously Corner-Locked Access to 8.3 Million Acres in the Western United States means that the land is effectively inaccessible to the public. The report is the first to show how much land is locked, the impact of different property owners, and how we can be done to address this complex problem.

Overview

Over the past two centuries, legislation, random chance, and a variety of land deals have left the American West with a patchwork landscape of public and private land. Within the patchwork lie swaths of alienating sections of public and private land, like the every corner of a public land parcel, that is not open to the public. The property corner ripe for controversy. With the issue of corner-crossing in the news again, we decided to leverage our strengths and drill down on the data. What we discovered was shocking in its scope.

The Highlights

- Using our only mapping technology, we identified 8.3 million acres of corner-locked lands—more than half of the West's total landlocked area.
- 27,120 land-locking corners exist in the West.
- No law exists that specifically outlines corner-crossing, but various attempts to make it either definitively legal or illegal have thus far failed.
- Property owners have valid concerns, and any solution to the problem must address landowner needs.
- Tools and programs for unlocking public land exist, but a widespread answer will take input and attention from a diverse group of stakeholders with varied interests.

Access matters to us—we believe that everyone should have access to nature. When people feel connected to the land, they are more likely to protect it. Read the exC Corner-Locked Report below to gain an understanding of the issue and what's being done to address this complex problem.

Table of Contents

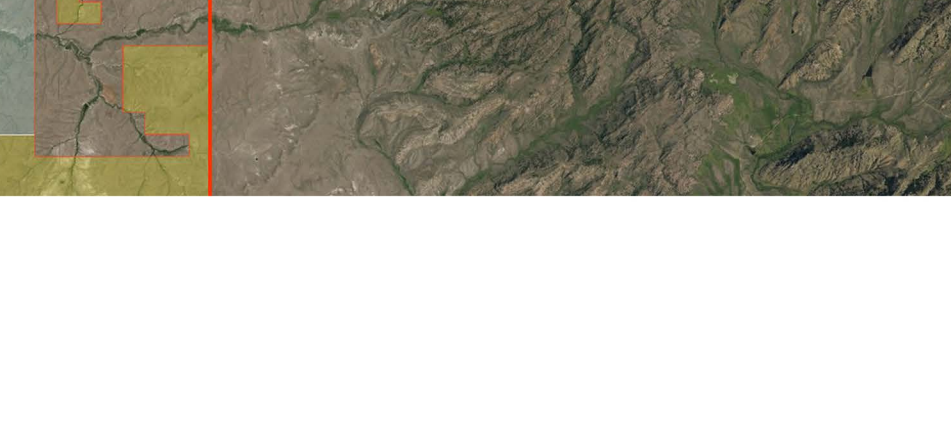
- The Crux of the Issue
- Corners Locked: By The Numbers
- Landowner Views on Corner-Crossing
- A Confusing Legal Backstory
- Mutually Beneficial Solutions At Work
- What's Next?

The information provided here does not, and is not intended to, constitute an offer of any financial product or service. Please consult your financial advisor for more information. Links to third-party websites are included for the convenience of the reader and do not endorse third-party information.

The Crux of the Issue

In October of 2021, four hunters were cited for criminal trespass in Wyoming. They had not entered a private building, nor had they touched private land.

What they had done was place an A-frame ladder across an intersection of property boundaries, the location where four parcels of land meet at a point. They climbed up one side of the ladder from public land, and down the other side of the ladder, stepping kitty-corner onto a different parcel of public land. But in doing so, their bodies also crossed through the airspace of the other two parcels meeting at the point where the four parcels meet. This trail, set in mid-April, will decide if they trespassed when they passed through that property airspace.



Why Corner-Locked Lands Exist
The location in which these corners exist is not unique in the West. Most of the land in the Western U.S. is mapped and divided based on square, 640-acre sections arranged in neat rows and columns, a system known as the Public Land Survey System. As a rule, squares have four 90-degree angles. This means a halfway of the system's four tracts of land meeting at a single corner point. As land was doled out to homesteaders and the newly formed states, designers for parks and forests and reservations, and sections or reclaimed by the federal government, a complex patchwork of ownership formed. Properties combined, split, and transformed into every imaginable shape, but the underlying unit—the humble, square, 640-acre section—can still be found all over the West.

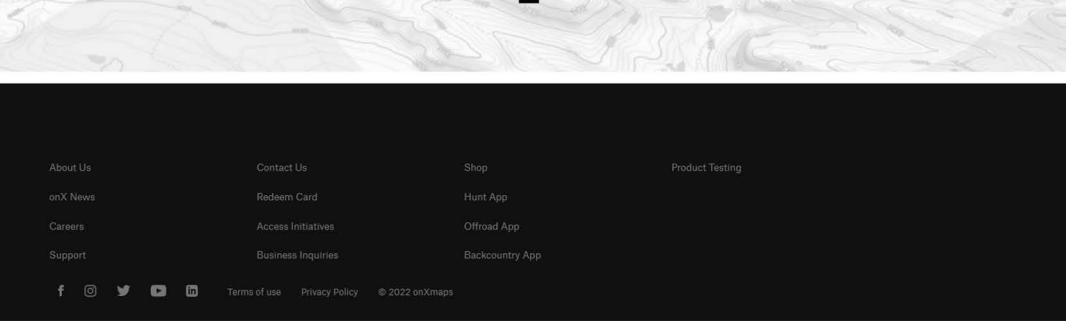
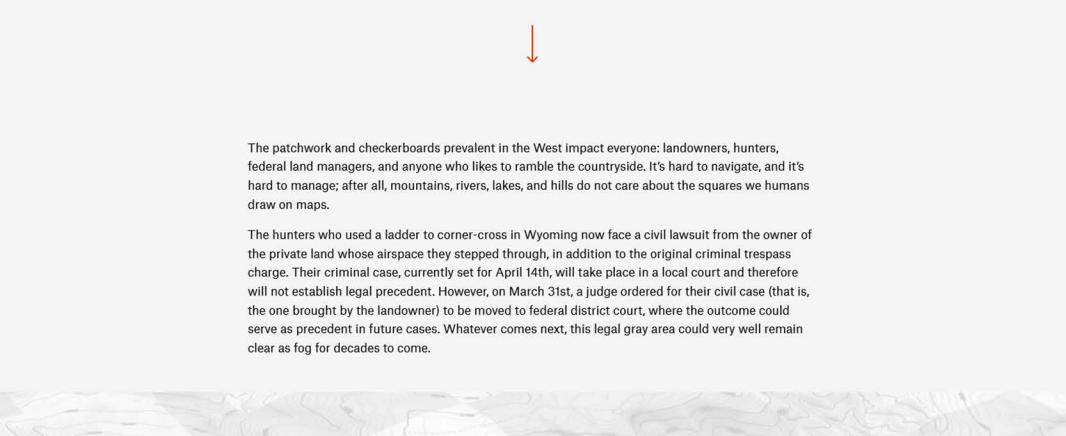
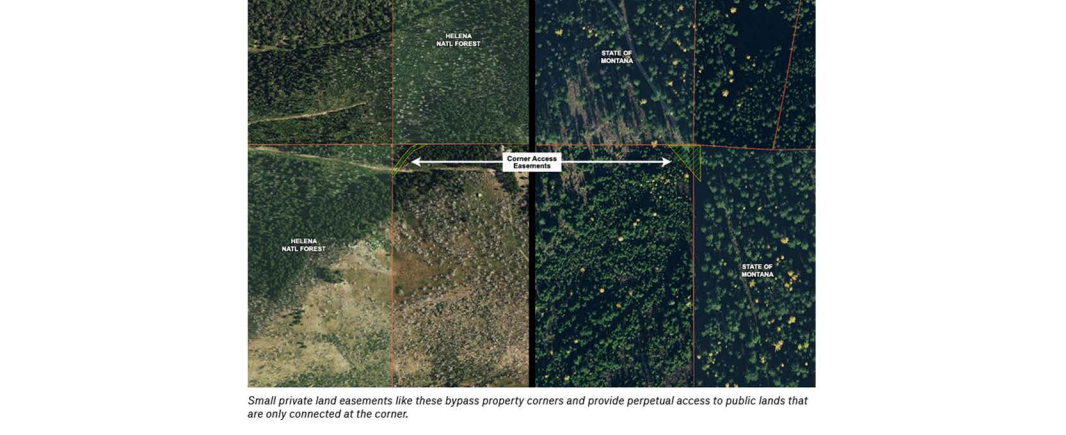
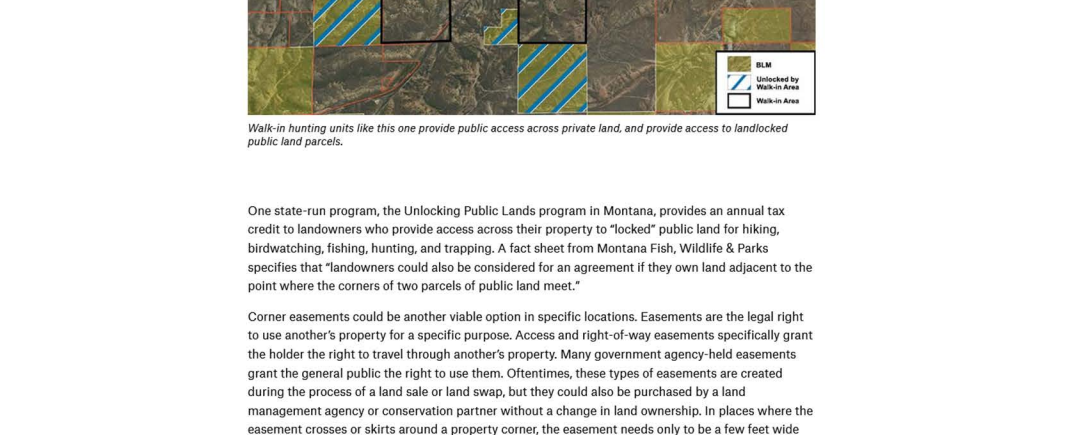
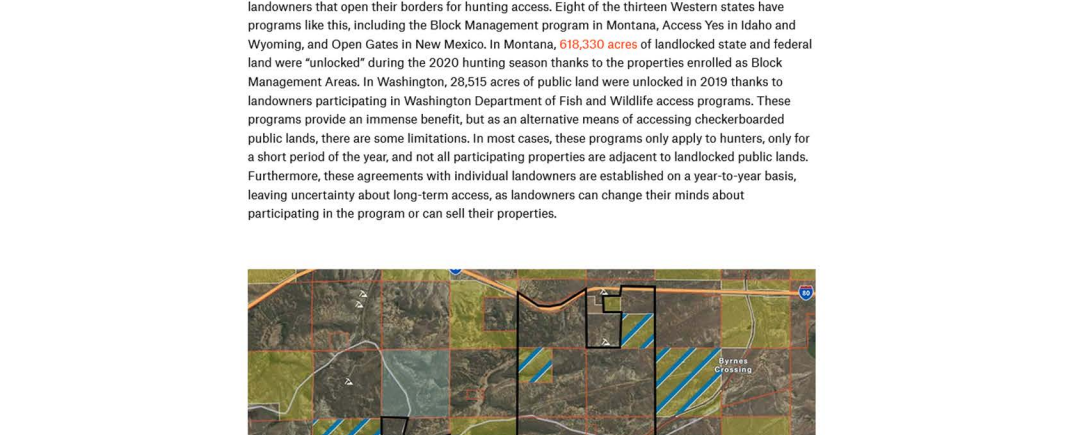
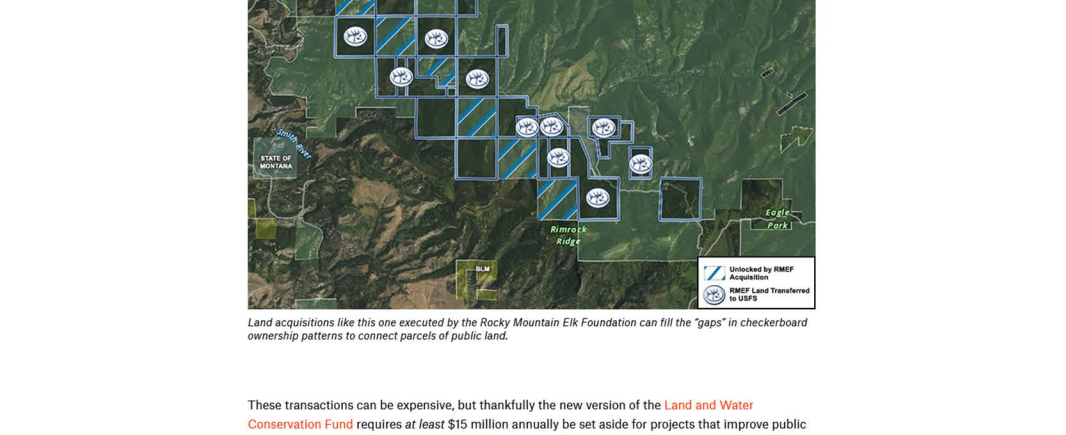
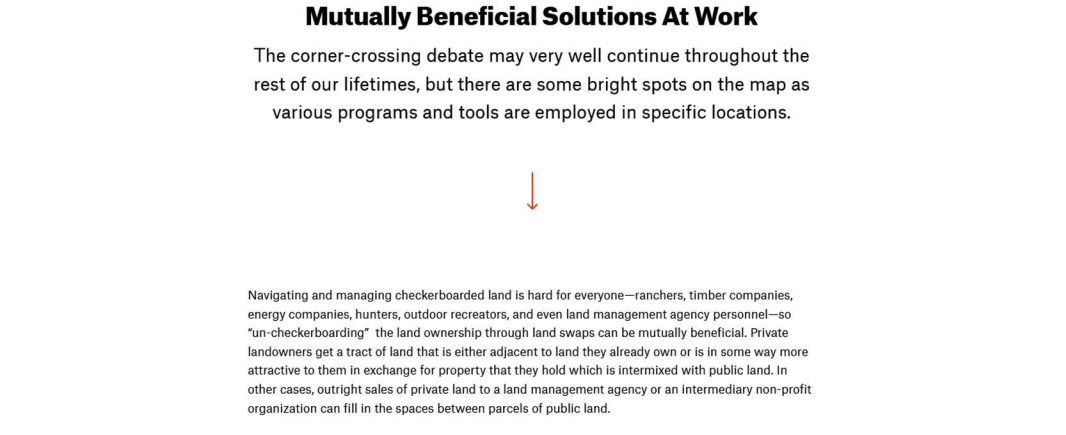
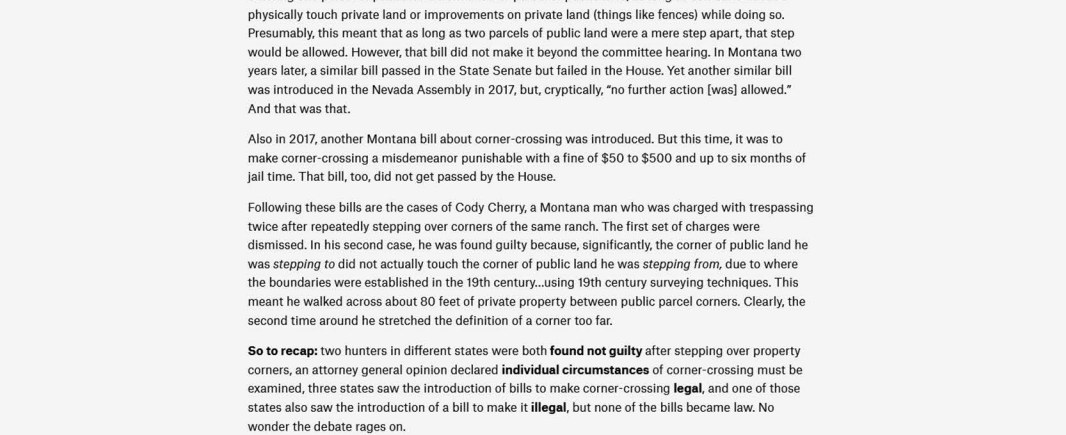
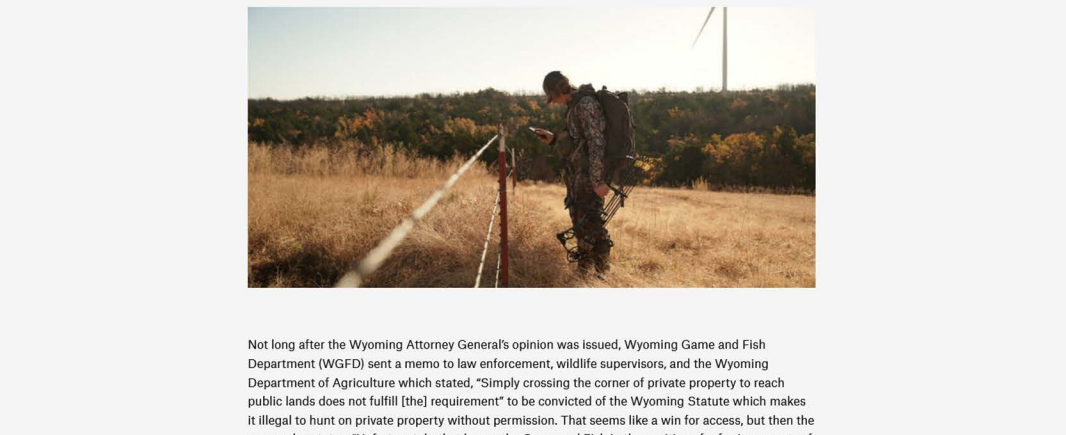
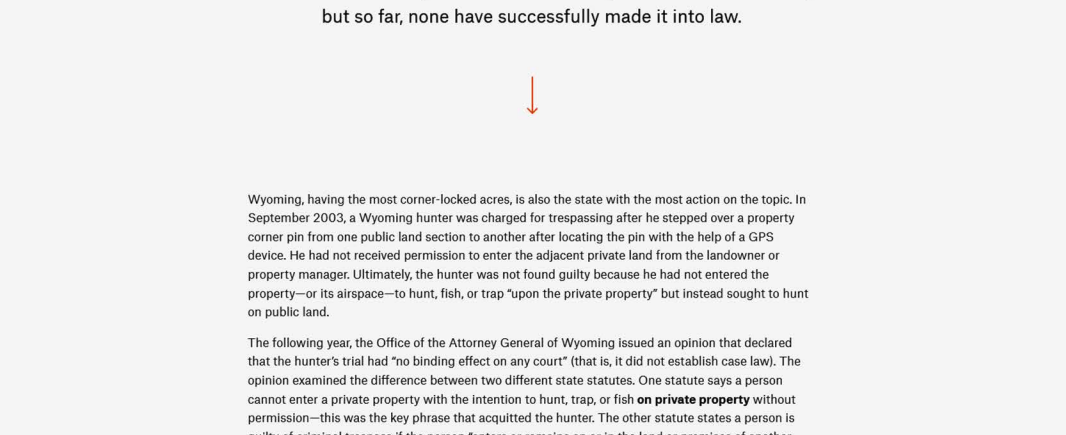
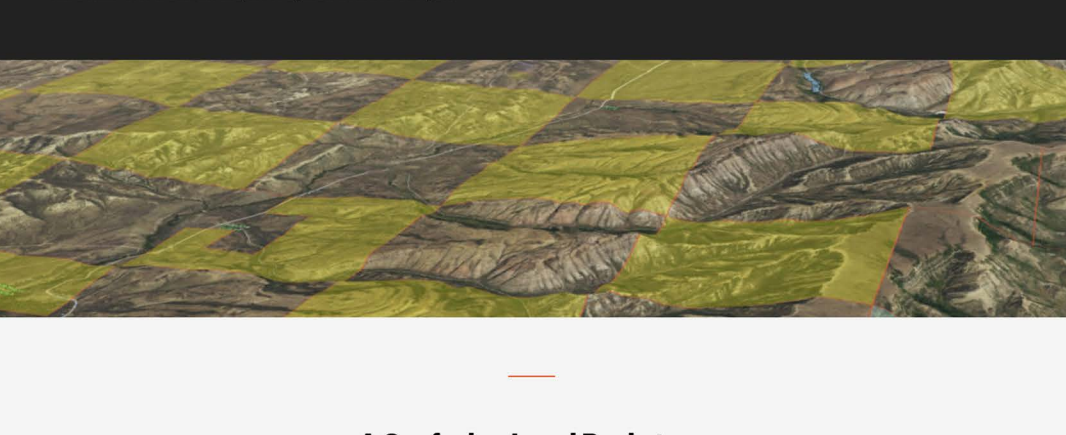
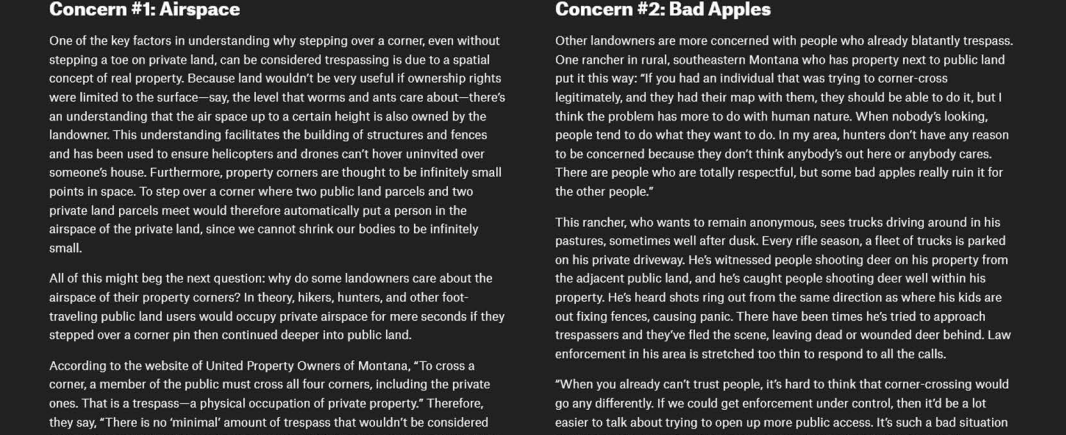
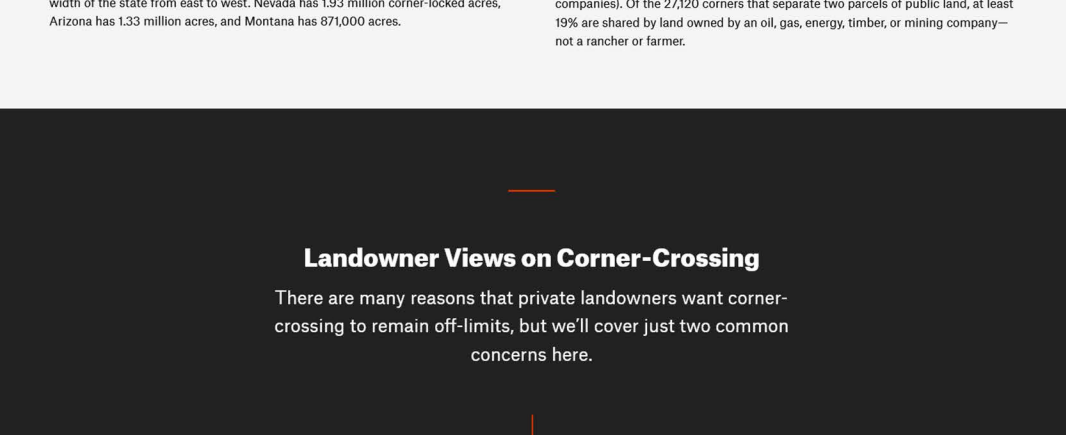
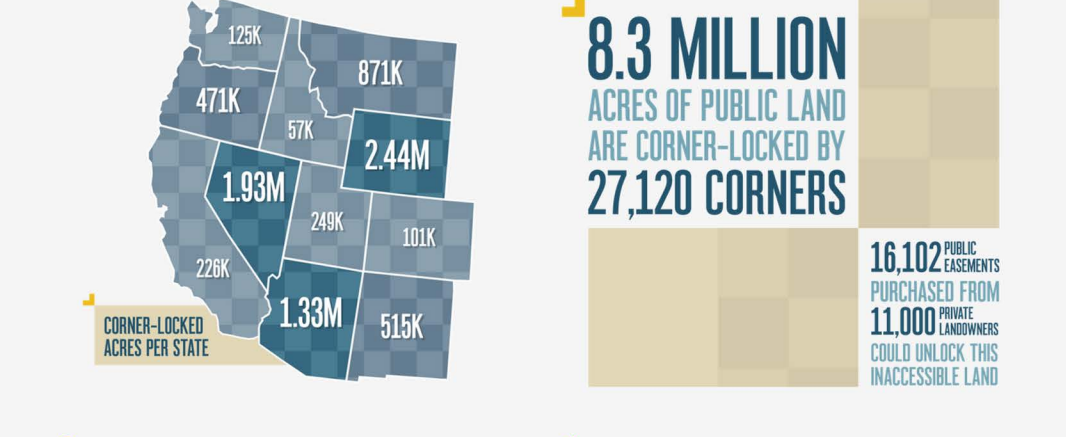
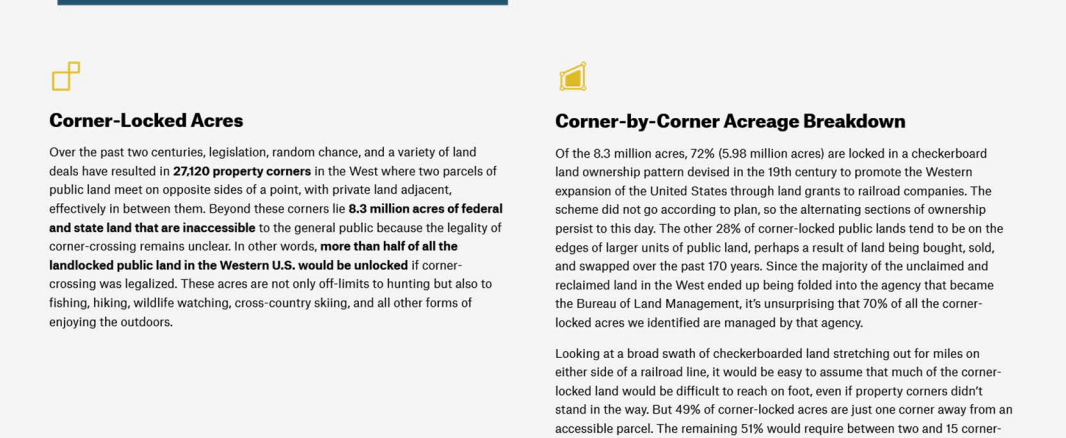
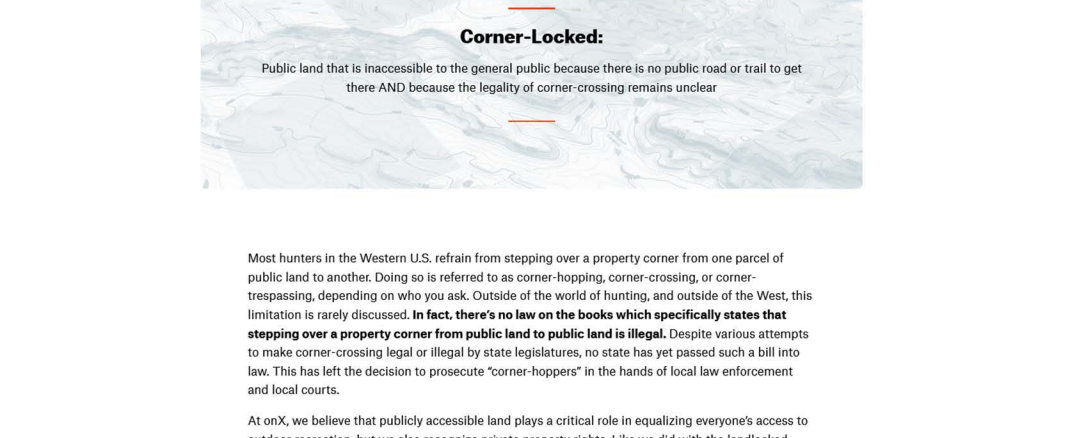
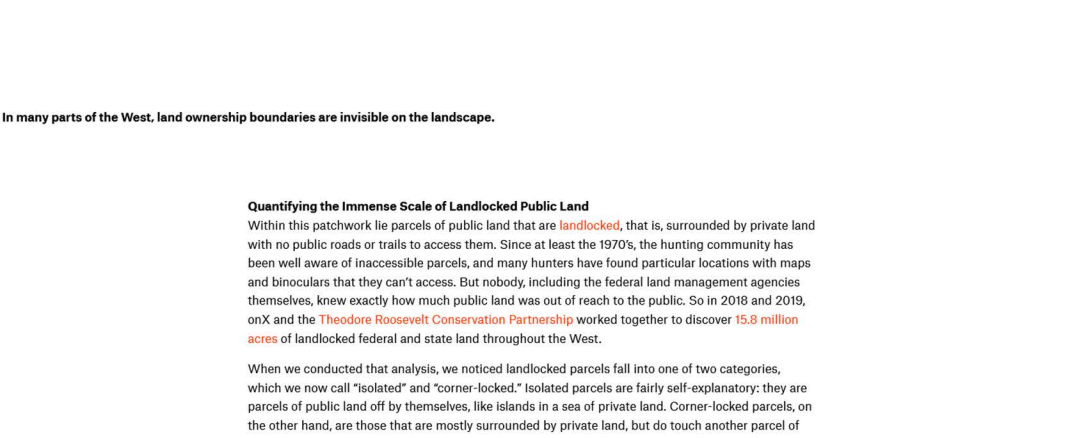


EXHIBIT 2

Q

Enter a City, County, State, or ID

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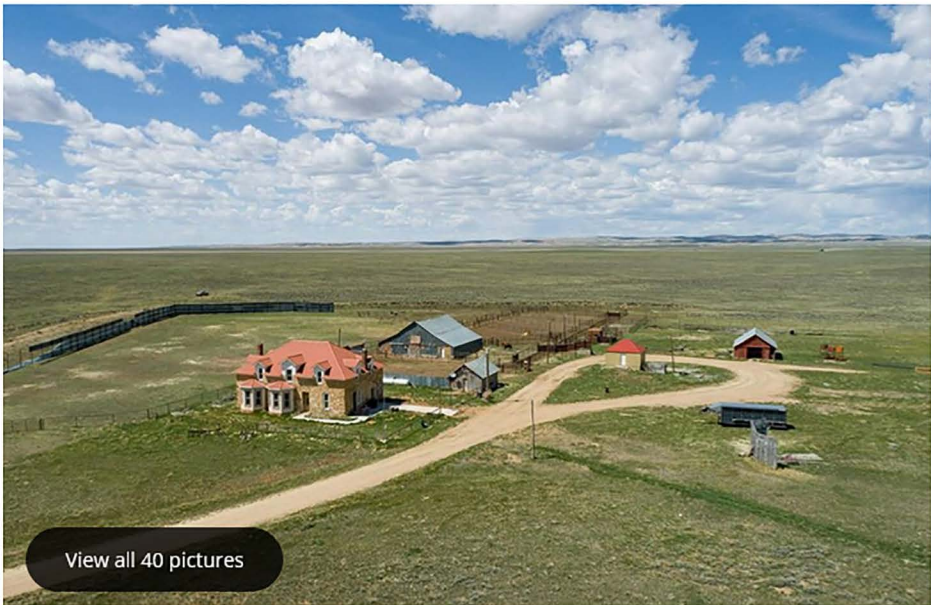
\$18,600,000

Fetterman Road , Rock River, WY 82083
(Albany County)

Size: 54,209 Acres

Type: Farms and Ranches, Recreational Property, House

Contact



Laramie Plains Ranch

Located in Albany County, Wyoming, approximately 45 miles north of Laramie, or 55 miles west of Wheatland, Wyoming, the Laramie Plains Ranch features 54,209 total contiguous acres and consists of 25,764 deeded acres, 5,338 State of Wyoming lease acres, 8,251 BLM lease acres and 14,856 private lease acres fenced into the ranch. Water is abundant on the ranch. Rock Creek traverses the property for approximately seven miles and the ranch surrounds Wheatland Reservoirs #2 and #3. Senior water rights provide water to irrigate hay ground. The hardy grass of the Laramie Plains provides excellent grazing for yearlings with the Laramie Plains Ranch owner-rated at 4,200 head of yearling cattle during the summer months. Multiple improvements on the ranch provide housing and cattle working facilities. Wildlife is abundant on the property with deer, antelope, elk and upland game birds known to frequent the ranch.

[Read Less](#)

Map

LARAMIE PLAINS RANCH

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3D

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Directions

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Resources

Links

[Property Website](#)

Attachments

[Laramie Plains Ranch Brochure.pdf](#)

Provided By

Cory Clark

Clark & Associates Land Brokers, (307) 334-2025

[Report this listing](#)

More by Cory Clark

MAP

50 Acres • \$1,600,000

4 beds • 5 baths

Sterling, CO, 80751, Logan County

Scott Leach

Clark & Associates La...

Contact

21,730 Acres • \$10,000,000

Oelrichs, SD, 57763, Fall River County

Mark McNamee

Clark & Associates La...

Contact

MAP

273 Acres • \$2,500,000

Buffalo, WY, 82834, Johnson County

Cory Clark

Clark & Associ...

Contact

Recently Viewed

VIDEO

MAP

1,423 Acres • \$4,900,000

Pavillion, WY, 82523, Fremont County

Frederick Nel...

Range Realty, ...

Contact

5,331 Acres • \$9,000,000

4 beds • 2 baths • 2,500 sqft

Guernsey, WY, 82214, Platte County

Jim Pederson

Arnold Realty, ...

Contact

3,080 Acres • \$3,900,000

Encampment, WY, 82325, Carbon County

Lonnie Gustin

Hayden Outdo...

Contact

54,209 Acres • \$18,600,000

Rock River, WY, 82083, Albany County

Cory Clark

Clark & Associ...

Contact

Home - United States - Wyoming - Southeast Wyoming - Albany County - Rock River - 54209 Acres - Rock River Wyoming

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EXHIBIT 3

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Kite Ranch

The Historic Kite Ranch, located in southeastern Wyoming, consists of 8,561 deeded acres, 3,738 State of Wyoming and 23,702 BLM and private lease acres for a total of 36,001 acres. The ranch is located 65 miles north of Laramie and 55 miles west of Wheatland, Wyoming. The Kite Ranch is an exceptional summer yearling grazing ranch located on the Laramie Plains. It borders Wheatland Reservoir #2 and surrounds Wheatland Reservoir #3 with over five miles of the Laramie River that meanders from the south to the north through the property with excellent opportunities for trophy trout and walleye fishing. Wheatland Irrigation District owns, stores and uses the water for irrigating lands east of the ranch. There is an 1882 territorial water right from the Laramie River for 705 flood-irrigated acres of native hay meadows. This is the 12th right on the river and is superior to the Wheatland Irrigation Districts rights. The ranch is watered via the Laramie River and seven miles of shoreline on Wheatland Reservoir #3. There are seven solar wells with tire tanks, other ponds and an underground pipeline from the corrals to the horse pasture. The terrain of the ranch is high mountain plains and consists of high protein, short grass that produces 2-2.5 lbs. of gain per day on yearling cattle. The ranch is conservatively owner-rated for 2,000+ yearlings for 4-5 months. With the use of the lands owned by others, but fenced into the ranch, and with the productive grasses created by the receding water levels on the two reservoirs in some years, carrying capacity could be up to 3,000+ yearlings. The cattle-handling facilities are in good working condition and can handle large numbers of cattle. The facilities include pipe and steel corrals, sorting alleys, scale, covered processing area with a hydraulic squeeze chute and steel wind breaks. The Kite Ranch house was built in 1901 and features 14 rooms with two stories. The stone house is a landmark of Wyoming ranching history and shows the foresight of pioneers that settled these productive grazing lands. The Kite Ranch offers waterfowl, antelope, mule deer hunting along with trout and walleye fishing.

Read Less

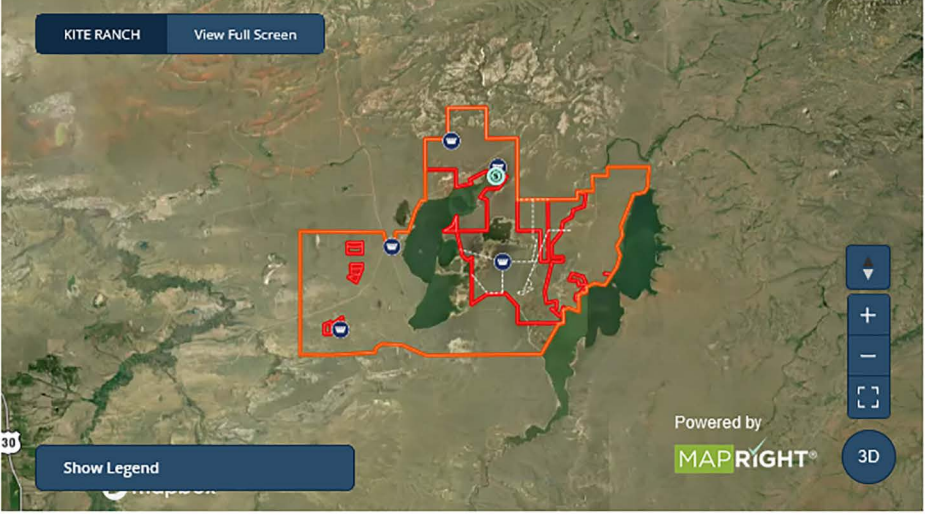
Amenities

Land

Present Use

- Agribusiness

Map



Show Google Map

Directions

Contact us for directions to this property

Resources

Links

Property Website

Attachments

Kite Ranch Brochure.pdf

Provided By

Scott Leach

Clark & Associates Land Brokers, (307) 331-9095

Report this listing

More by Scott Leach

50 Acres • \$1,600,000

4 beds • 5 baths

Sterling, CO, 80751, Logan County

Scott Leach
Clark & Associates Land ...

Contact

380 Acres • \$950,000

Wheatland, WY, 82201, Platte County

Scott Leach
Clark & Associates Land ...

Contact

80 Acres • \$198,000

Guernsey, WY, 82214, Platte County

Scott Leach
Clark & Associates Land ...

Contact

Recently Viewed

75,687 Acres • \$33,300,000

4 beds • 3 baths

Roswell, NM, 88202, Chaves County

Paul Taylor III
Ranchline

Contact

79422.64 Acres

Hagerman, NM, 88232, Chaves County

Paul Taylor III
Ranchline

Contact

24,108 Acres • \$25,000,000

Sun Valley, ID, 83353, Blaine County

Trent Jones
Hall and Hall

Contact

36,001 Acres • \$9,100,000

Wheatland, WY, 82201, Albany County

Scott Leach
Clark & Associates Land ...

Contact

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EXHIBIT 4

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\$40,000,000

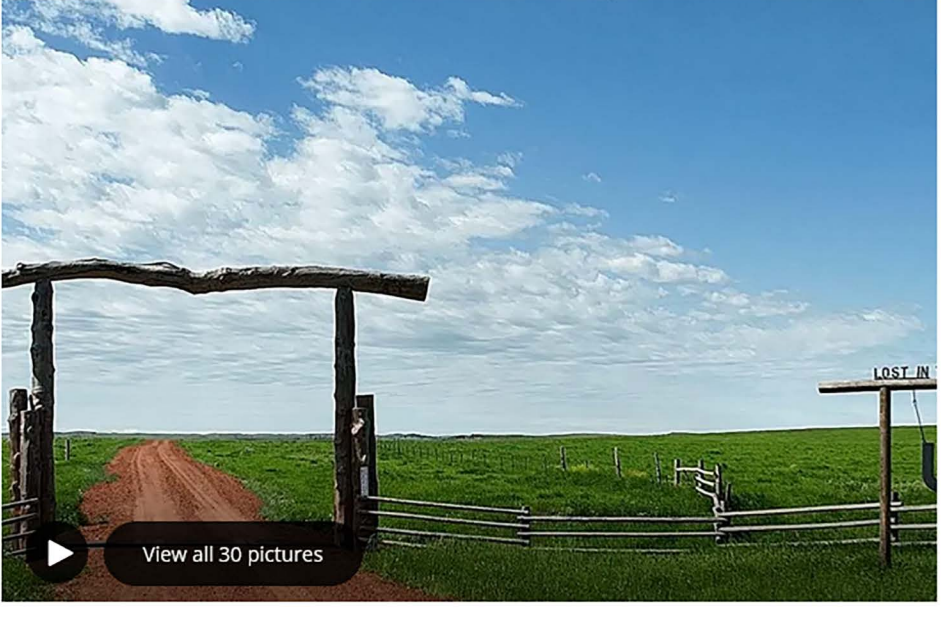
Pine Unit Road , Wibaux, MT 59353
(Wibaux County)

Size: 45,400 Acres

Type: Farms and Ranches, Recreational Property, Hunting Property, House

Home: 14 Beds - 7 Baths - 10,000 Sq Ft

Contact



Lost In Time Cedar Breaks Ranch

A rare opportunity to own one of the best recreational ranches in the heart of Eastern Montana cattle county. It was made famous by the Texas cowboys who trailed cattle to summer pasture here in the late 1800s. Get away from it all and experience privacy, seclusion, and tranquility out west in the BIG SKY Country of Montana. This is a one-of-a-kind opportunity to own and appreciate a piece of the Old West. Imagine gazing out from the deck of your 10,000 sq. ft. Log Lodge onto this safe, secure, pristine property that reaches from skyline to skyline. This huge offering encompasses 45,400 deeded acres, 12,800 acres leased, all contiguous. Cedar Creek flows through the ranch with grassy hills, meadows, badlands breaks with cedar and pine trees scattered through the ranch.

The ranch has a capacity to run 2,000 head of livestock year round.

Wildlife abound in the form of a resident elk herd, world class trophy mule deer, and an resident antelope herd along with trout fishing. The ranch is home to a greater sage grouse habitat. A number of pheasants and sharp-tailed grouse also inhabit the ranch. Recreation is unlimited.

The ranch is extremely accessible with GREAT roads and trails opening up opportunities for four wheeling and horseback riding.

The ranch has one dinosaur dig that was dug by the Chicago University, plastered and tarped. About three miles away is another dinosaur site that has not bee explored.

Live in luxury, enjoy recreational freedom, get Lost in Time on this one-of-a-kind treasure.

Read Less

Amenities

- Land
- Activities
 - Horseback Riding
 - Hunting
 - Off-roading

Easements
 - Access

Land Type
 - Both
 - Hunting

Miscellaneous
 - Cattle Working Pen
 - Fenced for Cattle
 - Fenced for Horses
 - Loading Chute
 - Windmill

Proposed Use
 - Agriculture
 - Grazing
 - Hunting/Fishing
 - Residential Multi-Family

Special Notes
 - Virtual Tour

Barn Information
 - Barn(s)
 - Loaf Shed(s)
 - Shop Building

Fish
 - Trout

Lot Description
 - Acreage
 - Horses Permitted
 - Pasture
 - Tank/Pond

Present Use
 - Agribusiness
 - Agriculture
 - Grazing
 - Hunting/Fishing
 - Residential Multi-Family

Road Frontage Desc
 - County
 - Gravel/Rock
 - Private

Will Subdivide
 - No
- Show Less Features
- ### Map
-
- Show Google Map
- ### Directions
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- ### Video
-
- ### Provided By
- Bill Bahny**
Bill Bahny & Associates, LLC Real Estate, (406) 594-7844
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- ### More by Bill Bahny
- 2,160 Acres • \$3,900,000
3 beds • 3 baths
Sonnette, MT, 59713, Powder River County
Bill Bahny
Bill Bahny & Associate...

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381 Acres • \$4,750,000
Melstone, MT, 59054, Musselshell County
Bill Bahny
Bill Bahny & Associate...

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94 Acres • \$1,795,000
East Helena, MT, 59635, Broadwater County
Bill Bahny
Bill Bahny & Associate...

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66,937 Acres • \$35,969,850
Lloyd, MT, 59535, Blaine County
Jimmy Willia...
Wilks Ranch B...

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VIDEO
66,896 Acres • \$66,000,000
Big Sandy, MT, 59520, Chouteau County
Dave Johnson
Hall and Hall

Contact Seller

45,400 Acres • \$40,000,000
14 beds • 7 baths • 10,000 sqft
Wibaux, MT, 59353, Wibaux County
Bill Bahny
Bill Bahny & Associate...

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35,000 Acres • \$10,000,000
Hinsdale, MT, 59241, Valley County
Northwest Realty
UC Northwest Realty

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